

RESOLUTION NO. 2006-322

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING AN AMENDMENT TO THE
CITY'S GENERAL PLAN TO ESTABLISH A MOBILEHOME
OVERLAY DISTRICT

WHEREAS, the City of Chula Vista's current General Plan was last comprehensively updated on December 13, 2005; and

WHEREAS, identified among the many goals and objectives of the General Plan is the need to maintain an adequate supply of land designated and zoned at appropriate densities to support a variety of residential housing types in order to ensure sufficient diversity and balance to meet the needs of existing and future residents; and

WHEREAS, mobilehome developments have historically been a part of that supply in Chula Vista, and have effectively provided an affordable housing source; and

WHEREAS, many of the households residing in mobilehome developments are in need of lower-income affordable housing, and housing costs for mobilehome living are often lower than market rates for similar sized rental or other housing units in the local market; and

WHEREAS, these circumstances can present added challenges in finding suitable replacement housing options for mobilehome residents in the event of potential closure of one or more of these developments; and

WHEREAS, increasing housing demands and rising land costs throughout the region are creating increasing market pressures on the potential closure of some mobilehome developments over time; and

WHEREAS, in order to address the often unique needs of mobilehome residents and the challenges and potential hardships in locating suitable replacement housing in the instance of a proposed mobilehome park closure, further analysis and plans regarding relocation are needed prior to the City's consideration of any requested change in use and/or rezoning affecting existing mobilehome park properties; and

WHEREAS, the City is proposing the subject General Plan Amendment to establish a Mobilehome Overlay District to require such further analysis and planning to ensure due evaluation of the affects of closure on existing mobilehome residents, and that the property owner and/or project proponent has prepared and carried out a plan to address those affects; and

WHEREAS, the areas of land for inclusion in the subject Mobilehome Overlay District contain all land parcels within the boundaries of the existing 32 mobilehome parks citywide as presented on proposed new General Plan Figure 5-18(A) of the Land Use and Transportation Element attached hereto as Exhibit 1; and

WHEREAS, in addition to the above noted Figure, the General Plan amendment includes a new Section 7.17 – Evaluation of Mobilehome Developments – Mobilehome Overlay District, within the Land Use and Transportation Element to establish the basis and intent for the District along with an Objective and Policies stating the requirements established for properties within the District, as presented in Exhibit 2 attached hereto; and

WHEREAS, pursuant to California Government Code section 65090, the Planning Commission held a duly noticed public hearing on October 18, 2006, and recommended that the City Council adopt the Resolution approving the proposed General Plan amendment; and

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on this proposal held on October 18, 2006, and the minutes and resolution resulting there from, are hereby incorporated into the record of these proceedings; and

WHEREAS, the City Clerk set the time and place for the hearing on the General Plan amendment and notice of said hearing, together with its purposes given by its publication in a newspaper of general circulation in the City, at least ten days prior to the hearing pursuant to California Government Code section 65090, and the City Council held a duly noticed public hearing on October 24, 2006, on the subject General Plan Amendment; and,

WHEREAS, the City's Environmental Review Coordinator has reviewed the proposed General Plan amendment for compliance with the California Environmental Quality Act (CEQA), and has determined that there is no possibility that the project will have a significant effect on the environment and therefore is not subject to CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Chula Vista hereby finds, determines and resolves as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on October 18, 2006, and the minutes and resolution resulting there from are hereby incorporated into the record of this proceeding.

II. GENERAL PLAN INTERNAL CONSISTENCY

The City Council hereby finds that the General Plan is internally consistent and shall remain internally consistent following the adoption of amendments by this Resolution.

III. SEVERABILITY

The City Council declares that, should any provision, section, paragraph, sentence or word of this resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect. The City Council further declares that should any provision, section, paragraph, sentence or word of this resolution be found by a court of competent jurisdiction to conflict with the City's General Plan the City's General Plan as adopted on December 13, 2005 shall control and remain in full force and effect.


IV. APPROVAL OF GENERAL PLAN AMENDMENT

The City Council hereby approves and adopts the subject General Plan amendment which consists of the documents presented in Exhibits 1 and 2 attached hereto, and on file in the City Clerk's Office:

Presented by

Approved as to form by


James D. Sandoval
Planning and Building Director



Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 24th day of October 2006 by the following vote:

AYES: Councilmembers: Castaneda, Chavez, McCann, Rindone, and Padilla

NAYS: Councilmembers: None

ABSENT: Councilmembers: None



Stephen C. Padilla, Mayor

ATTEST:



Susan Bigelow, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2006-322 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 24th day of October 2006.

Executed this 24th day of October 2006.



Susan Bigelow, MMC, City Clerk

PROPOSED GENERAL PLAN AMENDMENTS REGARDING MOBILEHOME PARK PROTECTIONS AND PROP 90-

- Addition of new Figure 5-18(A) in the LUT Element:

(Note: Figure 5-18(A) is a citywide graphic with numbers 1-32 on it depicting the location of existing mobilehome developments citywide, along with a list of all park names by number)(New Figure 5-18(A) would be inserted after pg. LUT-130). See attached.

- Addition of new LUT Section 7.17 to describe background and purpose for the Mobilehome Overlay District, and policy requiring study and Council discretionary review.

7.17 – Evaluations for Mobilehome Developments; Mobilehome Overlay District

As noted in LUT Section 7.1 and in Housing Element Part 1, Section 3.0, maintaining an adequate supply of land designated and zoned at appropriate densities to support a variety of residential housing types is an important component of ensuring sufficient diversity and balance to meet the needs of existing and future residents.

In Chula Vista, mobilehome developments have historically been a part of that supply, and have effectively provided a unique and affordable housing source. Housing costs for mobilehome living are often lower than market rates for other types of housing such as comparable sized rental apartments. As such, it is not uncommon to find that many of the households residing in mobilehome developments are living on fixed incomes, or are otherwise in need of lower-income affordable housing. Additionally, many residents own their own coach, but rent or lease the land space, leaving them vulnerable to changes in land use. These circumstances can present added challenges in finding suitable replacement housing options for mobilehome residents in the event of potential closure of one or more of these developments.

As shown on Figure 5-18(A), there are currently 32 mobilehome developments within the City in a variety of settings ranging from well organized and maintained parks with exclusive Mobile Home Park (MHP) zoning, to less formal and often smaller trailer parks in areas zoned for commercial or other development. Within the Urban Core Subarea, several mobilehome developments fall within the Interstate 5 Corridor District where higher density housing and transit-focused mixed uses are envisioned to occur. With increasing housing demands and rising land costs throughout the region, the likelihood for potential closure of some mobilehome developments over time is real.

In recognition of these circumstances, and in order to better balance the often unique needs of mobilehome residents with the challenges in locating suitable replacement housing, it is important that analysis and planning be undertaken in accordance with the principles of the Housing Element objectives prior to the City's consideration of any requested change in use and/or rezoning affecting any of the existing mobilehome sites. In order to accomplish this, the Mobilehome Overlay District is established to ensure that the appropriate evaluation and consideration of the affects of potential changes in use and/or urban redevelopment on this unique form of housing from the standpoints of housing opportunity, affordability, and displacement, replacement and/or relocation assistance is conducted in accordance with the principles et forth in the Housing Element and the Municipal Code.

As stated in the following Objective and Policies, the Mobilehome Overlay District ensures that the analysis and planning on the affects of closure on existing mobilehome residents is conducted and that the property owner and/or project proponent has prepared and carried out a plan to address those affects as required by the Municipal Code.

Objective – LUT 34.A

Ensure sufficient evaluation and response to the effects of any change of use or urban redevelopment of existing mobilehome developments.

Policies

LUT 34.A.1 Prior to the City's consideration of any proposed change of use and/or rezoning pursuant to Municipal Code Chapter 9.40 of any mobilehome development properties within the City as identified on Figure 5-18(A), the property owner and/or project proponent shall prepare a plan in conformance with applicable State and City regulations including Municipal Code Chapter 9.40, and to the satisfaction of the Director of Planning and Building and the Director of Community Development, that provides steps and provisions to mitigate any adverse impacts of the conversion on the affected residents.

LUT 34.A.2 At the time of consideration of any change of use and/or rezoning of any of the mobilehome properties noted above, the City Council shall review the plan prepared under Policy 34.A.1, and prior to taking action on said change of use and/or rezoning in accordance with the requirements of Municipal Code Chapter 19.06 and section 19.12.020, shall make the following findings:

- That the proposed change of use and/or rezoning will not adversely affect attainment of the City's goal to provide a variety of housing options within the City. (Housing Element Objective 3)
- That the proposed change of use and/or rezoning is supported by sound planning principles, and higher density, affordable replacement housing within the City will remain in sufficient supply. (Housing Element Objective 3)

- That the property owner and/or project proponent plan does ensure sufficient evaluation and response to the effects of the change of use and/or rezoning of the existing mobilehome development. (Housing Element Objective 4)
- That the proposed change of use and/or rezoning will not result in severe or undue hardship on affected mobilehome residents. (Housing Element Objective 4)
- That the property owner and/or project proponent plan complies with applicable City and State mobilehome conversion and relocation regulations. (Housing Element Objective 4)
- That prior to the commencement of any closure of the mobilehome development, that the property owner(s) will prepare and ensure performance of a detailed closure and relocation plan consistent with the requirements of CVMC Section 9.40 and applicable State regulations, and to the satisfaction of Directors of Planning and Building and Community Development.

Mobile Home Overlay District

